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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LONNIE DAWSON

FILED CIVIL ACTION

v.

MAY 20 2010

COMMONWEALTH OF PHILA., et al.

MICHAEL E. KUNZ, Clerk 09-3691
By *[Signature]* Dep. Clerk

ORDER

AND NOW, this 20 day of *May*, 2010, upon consideration of the Petition for Writ of Habeas Corpus, the Commonwealth's Response, inclusive of all exhibits thereto, and after review of the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, it is hereby ORDERED that:

and no objections having been filed

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Petition for Writ of Habeas Corpus is DISMISSED without an evidentiary hearing; and
3. Petitioner has not met statutory requirements to have his case heard and no reasonable jurist could find this procedural ruling debatable; thus, a certificate of appealability is DENIED.

IT IS SO ORDERED.

BY THE COURT:

William H. Yohn, Jr.
WILLIAM H. YOHN, JR., J.

mailed
5-20-10
L. Dawson
J. Goldborough

Docket to Stats